Guide to Submitting Arguments for San Francisco Ballot Measures

The Elections Department is located at 633 Folsom Street, Room 109.

New Requirement: Immediately following each paid ballot argument in the voter information pamphlet, a statement will be printed disclosing the name of the individual or entity that is the true source of the funds used for publication of that argument. See page 3 for details.

INTRODUCTION

This Guide to Submitting Arguments for San Francisco Ballot Measures has been prepared to assist individual voters and organizations who wish to submit arguments in favor of or in opposition to local measures to appear on the ballot for the November 5, 1996 Presidential Election in San Francisco. Ballot arguments are printed in the Voter Information Pamphlet.

This Guide is based on San Francisco Administrative Code Sections 5.74.2 through 5.86.3 and the California Elections Code. (Code sections cited in this guide are from the San Francisco Administrative Code unless otherwise specified.) Although this Guide is intended to summarize the laws for submitting ballot arguments, persons interested in submitting ballot arguments should not rely solely on this guide. Copies of the California Elections Code and San Francisco Administrative Code are available in the Law Library, room 448, of 633 Folsom Street. You should contact the Elections Department or your own legal counsel if you have questions about these laws.

IMPORTANT DEADLINES AND DISCOUNTS

Deadlines for submitting arguments are:

1. Free Ballot Arguments (Proponent and Opponent) - Noon on Tuesday, August 20, 1996;

2. Rebuttals to Free Ballot Arguments (Proponent and Opponent) - Noon on Tuesday, August 27, 1996;

3. Paid Arguments - Noon on Tuesday, August 27, 1996

Discounts available for submitting paid arguments early and in the preferred format:

1. $150.00 discount for submitting the argument by Noon on Friday, August 23, *OR* $50.00 discount for submitting the argument by Noon on Monday, August 26 .

2. $25.00 discount for submitting the argument in the preferred format (neatly typed on the correct form)

3. $75.00 discount for submitting the argument on a computer disk and a hard copy in preferred format.

Submitters will receive either discount "2" or "3" but not both. Although the discounts described above may be combined for a maximum discount of $225.00, you can't combine the discounts to reduce the cost of an argument below $50.00. The minimum fee for any argument is $50.00. However, you may collect signatures on a "Petition In Lieu of Printing Fee" for the full amount of the argument.

WHO MAY SUBMIT ARGUMENTS FOR LOCAL MEASURES (ADMIN. CODE §5.74.2)

Arguments may be submitted by: (1) the Board of Supervisors, (2) any member of the Board of Supervisors authorized by that body, (3) the Mayor, (4) any individual voter or group of voters, (5) any bona fide association or organization, and (6) any combination of the preceding groups and individuals.

FREE BALLOT ARGUMENTS (Admin. Code §5.74.5)

Proponent and Opponent Arguments

For each measure, one argument in favor of the measure and one argument against the measure may be printed in the Voter Information Pamphlet free of charge. These arguments are called the "Proponent's Argument" and the "Opponent's Argument." Each argument must not exceed 300 words.

The designation "Proponent's Argument" and "Opponent's Argument" indicates only that the arguments were selected in accordance with the statutory priorities, described below, and are printed free of charge. The Director Of Elections does not edit the arguments -- they are printed exactly as submitted. The Director Of Elections makes no claims as to the accuracy of the arguments.

If more than one argument is submitted as a "Proponents" or "Opponents" Argument, the "Proponent's " and the "Opponent's " Argument are selected by the following statutory priorities:

"Proponent's Argument"	"Opponent's Argument"
1. The official proponent of an initiative petition; or the Mayor, the Board of Supervisors, or four members of the Board, if the measure was submitted by same.	1. For a referendum, the person who files the referendum petition with the Board of Supervisors.
2. The Board of Supervisors, or any member or members designated by the Board.	2. The Board of Supervisors, or any member or members designated by the Board.
3. The Mayor.	3. The Mayor.
4. Any bona fide association of citizens, or combination of voters and bona fide associations of citizens.	4. Any bona fide association of citizens, or combination of voters and bona fide associations of citizens.
5. Any individual voter.	5. Any individual voter.

Note:

- Filing as a campaign committee does not entitle you to preference for submitting the Proponent's or Opponent's Argument.

- When more than one arguments is submitted from priority 4 and/or 5 and none are submitted from priorities 1, 2, or 3, a random drawing is held to determine which argument will be printed.

- The deadline to submit a "Proponent's Argument" or "Opponent's Argument" for consideration is Noon on Tuesday, August 20, 1996.

Rebuttal To Proponent And Opponent Arguments (Admin. Code §5.74.6)

After the "Proponent's Arguments" or "Opponent's Arguments" have been selected, the Director Of Elections will send to the author of the "Proponent's Argument" a copy of the "Opponent's Argument," and the Director Of Elections will send to the author of the "Opponent's Argument" a copy of the "Proponent's Argument." The authors of those arguments may then submit rebuttal arguments of no more than 250 words.

Note: • The deadline to submit a " Rebuttal to Proponent's Argument" or "Rebuttal to Opponent's Argument" for consideration is Noon on Tuesday, August 27, 1996.

If no "Opponent's Argument" is submitted opposing a measure, then no rebuttal argument will be accepted from the proponents. Similarly, if there is no "Proponent's Argument" then no rebuttal argument will be accepted from the opponents.

Authors of "Proponent's Arguments" or "Opponent's Arguments" may assign their rebuttal rights to others. The author of a "Proponent's Argument" or "Opponent's Argument" who wishes to assign his/her rebuttal rights to another person must submit the rebuttal along with a signed statement , stating to whom the rights were assigned. The author may accomplish this by signing the rebuttal argument and indicating on it clearly his/her intention to assign the rebuttal rights.

PAID BALLOT ARGUMENTS (Admin. Code §5.74.8)

In addition to the "Proponent's Arguments" and "Opponent's Arguments" the Board of Supervisors or any member or members authorized by the Board, the Mayor, any voter eligible to vote on the measure, any group of eligible voters, or bona fide association may submit paid arguments for publication in the Voter Information Pamphlet. The printing fee (or signatures on a Petition In Lieu of Printing Fee) must be submitted at the same time the arguments are submitted. Each paid argument may not exceed 300 words.

Note:

·The deadline to submit Paid Arguments is Noon on Tuesday, August 27, 1996.

New Procedure:

Immediately following each paid ballot argument in the Voter Information Pamphlet, a statement will be printed disclosing the name of the individual or entity that is the true source of the funds used to pay for publication of that argument.

Printing Fee

The fee for printing an argument in the Voter Information Pamphlet is $200.00 plus $2.00 per word. Payment may be made by check, money order or cash, at the time the argument is submitted. Because submitters sometimes under-count the number of words in their argument, they may wish to deposit more money than they believe is necessary to pay for their argument.

Signatures In Lieu Of Printing Fee (Admin. Code §5.74.9)

Anyone who does not wish to pay the printing fee may submit signatures on a Petition In Lieu of Printing Fee. Each valid signature collected will reduce the printing fee by $0.50. The petition shall be headed: "PETITION IN LIEU OF PRINTING FEE FOR LOCAL BALLOT ARGUMENT"

The petition must include:

1. a request that the printing fee be waived

2. a statement that the signers of the petition are registered to vote in San Francisco

3. the full text of the ballot argument, including the names of those people who will be included as signers of the argument

4. the signature of each person signing the petition, along with his or her printed name, residence address, city, state, and zip code

5. a DECLARATION OF CIRCULATOR in the form set forth in California Elections Code §104 A blank petition form is attached to this guide.

SIGNATURE AUTHORIZATIONS (ADMIN. CODE § 5.74.2)

1. Any person who submits an argument for publication must sign that argument. If more than one person submits the argument, each person must sign the argument. If the argument is submitted on behalf of an organization, the argument must indicate the name of the organization and the name and signature of at least one of the principal officers of that organization. If the submitter wishes to have only the name of the organization typeset, he/she is responsible for indicating his/her wishes on the copy. All signature authorizations must be made on a copy of the text of the argument. A general signature authorization which does not reference the full text of a specific ballot argument will not be accepted. The names and titles of all sponsors and endorsers are counted against the 300 word limit.

Note: ·We strongly encourage you to pre-type the names of all the signers on the argument before the argument is distributed for signatures. Once an argument is submitted, a sponsor's name can not be withdrawn. In the past, some signers have been extremely surprised and upset to learn their name would appear on the same argument with certain other individuals.

2. Any person who submits an argument signs a statement agreeing that the argument is true and correct to the best of the signers knowledge and belief.

3. If the text of the argument includes the name of another person or organization, represented as favoring or opposing the measure, or represented as favoring or endorsing the argument, the signed consent of that person or organization must be submitted along with the argument.

4. Signatures on a Petition In Lieu of Printing Fee does not mean that the signer's name may be included as a signer of the actual ballot argument. Voters may separately sign either or both ballot arguments and Petitions In-Lieu of Printing Fees.

5. Signatures on a Petition In Lieu of Printing Fee must be original.

6. Signatures on arguments may be faxed in order to meet a filing deadline. However, the original copy must be in the Elections Department no more than 48 hours after the filing deadline.

PREFERRED FORMAT OF BALLOT ARGUMENTS

When printed in the Voter Information Pamphlet, proponents' arguments will be titled "PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION —", opponents' arguments will be titled "OPPONENT'S ARGUMENT AGAINST PROPOSITION —." Rebuttals will be titled "REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION —" or "REBUTTAL TO ARGUMENT AGAINST PROPOSITION —." Paid arguments will be titled "PAID ARGUMENTS IN FAVOR OF PROPOSITION —", opponents' arguments will be titled "PAID ARGUMENTS AGAINST PROPOSITION —." The title will be printed in the Voter Information Pamphlet in bold, sans serif, and all caps type. Arguments which are in the preferred format will be eligible for a $25.00 discount. A sample of the preferred format for arguments is attached. The preferred format means:

1. The Argument is neatly typed, on the Department of Elections' form. (If typed or printed with a ribbon printer, make sure that the impression is dark enough to be legible and easily copied.)

2. A one-inch margin appears on the right and left side of the page.

3. One or two blank lines are left between each typed line (double space or triple space).

4. The number of words in each line of text has been counted and written at the end of that line in the right hand margin (these numbers may be neatly printed by hand).

5. The total number of words in the argument has been written at the bottom of the page.

6. The text of the argument will appear in the Voter Information Pamphlet in roman type, with the names of the signers printed in roman italic type. Submitters may designate certain portions of the text to be set in either bold, italic, or bold italic type underlining the appropriate portion of the text, and indicating in the left hand margin "B" for bold, "I" for italic, or "BI" for bold italic. If more than one style change is needed in any one line of text, write them in order in the left margin, clearly separated by commas. These style markings may be made by hand. Style changes may be indicated by typing. No text printed in the Voter Information Pamphlet will be underlined.

7. A completed "Ballot Argument Control Sheet" must be submitted with each argument, along with the contact person's name, address and phone number, and the names of the first two submitters or signers. (Form and sample attached.)

Arguments Submitted On Computer Disks

Arguments submitted on computer disks are eligible for a discount of $75.00. The disk must be a 3 1/2" diskette, formatted for use on an IBM-PC compatible computer. (Sorry, no Apple or Macintosh.) The file must be in one of the following formats only: WordPerfect 4.2, 5.0, or 5.1, or WordPerfect for Windows, MS-Word, MS-Word for Windows, and Ami or AmiPro. Many copy shops rent computers for self-service use, and many will prepare a disk for a fee. The format must be written on the "Ballot Argument Control Sheet" with each argument. Please note that formatting information is often lost when converting from one word-processor to another. If there is any question about the content of the argument, the Director Of Elections will refer to the "hard" copy.

If more than one argument is submitted, please put them all on one computer disk. Make sure that each file is given a clear and unique name. Also, make sure that each disk is labeled with the submitter's or contact person's name and telephone number. The file name (s) must be written on the "Ballot Argument Control Sheet" with each argument. Arguments submitted on a computer disk must be accompanied by a "hard copy" in the preferred format.

Limit On The Number Of Words (Admin. Code § 5.74.2 & 5.74.6)

Arguments are limited to 300 words, and rebuttals to 250 words. In general, each word will be counted toward the word limit. Punctuation is not counted. All of the following count as one word: each part of a name, each initial, each abbreviation and each contraction. Proper geographic names (e.g., San Francisco) are counted as one word. However, " San Franciscans " is counted as two words. Numbers or dates written in numerals (e.g., 100, 2/14/89) are counted as one word. Numbers or dates written as words are counted by the actual number of words (e.g., one hundred = 2 words, February 14, 1994 = 3 words). The names of the signers of the argument, and the names of any organizations included as part of the signatures are counted toward the word limit. Word combinations normally hyphenated (which appear hyphenated in the dictionary) are counted as one word (refer to Webster's Ninth New Collegiate Dictionary). **Political subdivision names and building names will not be considered geographic names. Thus, "City and County of San Francisco" will be counted as 5 words, and "City Hall" will be counted as 2 words.**

Arguments Submitted Before The Final Day For Filing (Admin. Code § 5.74.3)

Arguments will be accepted at the Department Of Elections during normal business hours, Monday through Friday, 8:30 a.m. to 5:00 p.m. up until the filing deadline. Submitters are encouraged to submit their arguments before the deadline. Submitters must count the words in their arguments and write the word count on the copy of the argument they submit. The Director of Elections will verify the word count and signatures on a Petition In Lieu of Printing Fee within 48 hours, and will notify the submitter of any discrepancy. The submitter will have 24 hours after being notified to come to the office to correct the problem, by shortening the text, by submitting more signatures, or by paying the amount due. If the submitter has deposited more than the total required fee including In-lieu signatures, the Director Of Elections will refund the excess. All signatures or fee payments must be submitted prior to the deadline for submitting arguments. To avoid any unfair disadvantage to early submissions, **paid arguments submitted in advance of the deadline will not be available for public inspection until Tuesday, August 27, 1996.** As described above, discounts are given for early submission of ballot arguments.

PAID Arguments Submitted On The Final Day For Filing (Admin. Code § 5.74.10)

Paid arguments will be accepted until Noon on Tuesday, August 27, 1996. Arguments submitted on that day will be provisionally accepted by the Director of Elections, who will verify the word count and verify signatures on a Petition In Lieu of Printing Fee within 48 hours. If the word count determined by the Director of Elections is the same as the word count given by the submitter, within seven words over or under, and the argument does not exceed 300 words, the argument will be accepted.

If there is a discrepancy of more than seven words, and the submitter has paid more than the required fee, the Director of Elections will refund the excess. If there is a discrepancy of more than seven words, and the submitter has not paid a sufficient fee, the submitter will be contacted and allowed 24 hours to come in to the Department Of Elections and pay an amount sufficient to cover the printing fee for the actual number of words in the argument.

If the argument is more than 300 words, the submitter will be contacted and allowed 24 hours to come in to the Department Of Elections and delete enough words to eliminate the discrepancy. No editorial changes may be made other than deleting words, even if the deletions make for improper or awkward grammar.

If arguments are submitted and a discrepancy is found in the number of words, number of valid signatures on a Petition In Lieu of Printing Fee, or amount of fee paid, and the submitter does not respond within the allowed time to make up the deficiency, or if the Director of Elections is unable to contact the submitter after making a reasonable effort, then the Director of Elections will not publish the argument. The Director of Elections will refund the deposit fee for the argument, but the Director of Elections will not be responsible for any other remedy.

PUBLIC INSPECTION

Copies of all material to be printed in the Voter Information Pamphlet will be available for public inspection. The inspection period for "Proponent's Arguments" and "Opponent's Arguments" will be from August 20 through August 30. The inspection period for Rebuttals to "Proponent's Arguments" and "Opponent's Arguments" will be from August 27 through September 6. The inspection period for Paid Arguments will also be from August 27 through September 6. Also, copies of typeset pages as they will appear in the Voter Information Pamphlet are open to public inspection as soon as they are available. Submitters of arguments are encouraged to inspect the typeset copies as soon as possible and to notify the Director Of Elections of any discrepancies between what is submitted and what is typeset. Submitters are responsible for notifying the Director Of Elections of any typesetting errors.

REFUNDS

Refunds are not given for arguments which are withdrawn after they are submitted to the Department of Elections. Overpayments as noted above will be refunded.

Every effort is made to ensure that the arguments that appear in the Voter Information Pamphlet are free of typesetting and printing errors. Errors are the responsibility of the submitters. Claims for refunds because of minor errors will not be considered. The only remedy that will be considered in any circumstance is the refund of a monetary fee paid.

The procedures written here are only guidelines, and no summary of the Elections Code and Administrative Code can be definitive. The Department Of Elections will attempt to answer any questions about these procedures, but the answers given are only advisory in nature.

QUESTIONS?

A Brown Bag Lunch meeting to discuss Ballot Argument procedures will be held on Wednesday, August 7, at 12:00 Noon in Room 109 at 633 Folsom Street. The meeting is open to the public. Please bring your questions, ideas and other interested people, along with your lunch.

MORE QUESTIONS?

If there are questions about the procedures for submitting ballot arguments, please call Paul Manfuso, Administrative Manager, at (415) 554-4375.

So that you may more efficiently contact the Elections Department, the following management assignments are:

Paul Manfuso **Administration** Voter Information Pamphlet, Media Contact, Budget, Purchasing	Naomi Nishioka, **Campaign Services** Candidate and Petition Filings, Campaign Finance Filings	Evone Zamora **Precinct Services** Polling Place Locations,Supplies Equipment and Poll Workers	David Tom **Operations** Voter Roll, Voter Outreach, Absentee Voting, Election Labels and Lists

Ballot Argument Control Sheet

OFFICE OF THE REGISTRAR OF VOTERS, CITY AND COUNTY OF SAN FRANCISCO
633 FOLSOM STREET, ROOM 109, SAN FRANCISCO, CA 94107

Date & Time
Stamp Here

FOR REGISTRAR'S USE ONLY

1 Circle One

a. Proponent Argument
b. Opponent Argument
c. Rebuttal Argument: *For or Against*
d. Paid Argument: *For or Against*

PROP:

2 Person To Contact If The Registrar Has Questions About The Argument

Name:

Address:

City:

Day Phone: | | | - | | | | Evening Phone: | | | - | | | |

Signature _____

3 Ballot Argument Information

Name of 1st signer:

Name of 2nd signer:

The name of individual or entity that is the true source of the funds used to pay for publication of

this argument is: _____

4 Diskette info FILE NAME: | | | | | | | | | ● | | | - | → List additional files on back of this form

Which wordprossessing software? Word Wordperfect Amni Pro ASCII

Registrar use only below this line.

☐ No Charge Request (a, b or c in box 1) ☐ Selected for Publication

Number of Words: _____ x $2 = _____ + $200.00 = [ ]   Receipt # _____

Form Only $25 or Disk and Form $75   FRIDAY $150 or MONDAY $50   Discount Total ▶ — subtract

Cash or Check # _____

($50 minimum) Sub-Total ▶ $50 Minimum

Sigs in Lieu _____ x .50 = — subtract

Amount _____

Total Fee ▶

# of invalid signatures _____ x .50 = + add

If Adjusted Fee is larger than Check Amount, the difference is the amount still owed.
If Adjusted Cost is smaller than Check Amount, the difference is the amount to be refunded.

Adjusted Fee ▶

Wtihin + or - 10 words

SAMPLE BALLOT ARGUMENT

PREFERRED FORM FOR LOCAL BALLOT ARGUMENTS

The undersigned authors of the BALLOT ARGUMENT (FOR* or *AGAINST*) _____ FOR Z

PROPOSITION (Letter or Title) _____ Z _____ at the election to be held in San Francisco

on (Date) Nov. 2, 1993 _____ hereby state that such argument is true and correct to the best of (his/her/their) knowledge and belief.

Style Notes B, I, or B I	<<<------------ KEEP TEXT WITHIN THESE VERTICAL LINES ------------>>>	# of words in each line of
	Proposition Z will usher in a new era of municipal	10
	prosperity to our City. Business, labor, minorities,	7
B, I	Republicans, Democrats, and neighborhood groups <u>all</u> support	7
	Proposition Z, for our children, and for the future of the	11
	City and County of San Francisco.	5
B	<u>Proposition Z Will Cost No Money</u>	6
	An independent financial analysis done by one of the	9
	country's most respected accounting firms concluded that	7
B, B	Proposition Z will <u>NOT COST</u> the taxpayers <u>ONE CENT</u> and will	11
	result in substantial long-term savings.	5
	Don't be fooled by self-serving extremists who oppose	8
	this reform measure; they all have something to gain from	10
	the defeat of Proposition Z.	5
	Richard C. "Rich" Jones *Richard C. Jones*	4
	Former County Central Committee Candidate	5
	Diana Jones *Diana Jones*	2
	East of Embarcadero Improvement Association	5

Page __1__ of __1__

Attach additional pages as needed.
Please see sample on reverse side of this page.

Total # of Words = 117